IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

Crl.Rev.Pet.No. 4357 of 2007()

---

CRA.116/2005 of ADDL. SESSIONS COURT (ADHOC-III), KASARAGODE
CC.233/2002 of JUDL. MAGISTRATE OF FIRST CLASS-II, HOSDRUG

.....

REVN. PETITIONER: REVISION PETITIONER/APPELLANT./ACCUSED

---

M.RABIYA AGED 30 YEARS
D/O. KUNHIMAHIN KUTTY
R/AT KODAMKAL, KALANAD P.O., KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS: COMPLAINANT

---

1. IBRAHIM K.M.
S/O. MUHAMMED, R/AT MADATHIL HOUSE,
KALANAD P.O., KASARAGOD.

2. STATE OF KERALA REP. BY
THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA.

BY ADV. SRI.M.PRADEEP RAO FOR R1
PUBLIC PROSECUTOR SRI.P.RAVEENDRA BABU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

**- - - - - - - - - - - - - - - - - - - - - - - - -**

**Crl.R.P. No.4357 of 2007**

**- - - - - - - - - - - - - - - - - - - - - - - - -**

**Dated this the 5th day of December, 2007**

**ORDER**

The accused in C.C.No. 233 of 2002 on the file of the Judicial First Class Magistrate-II, Hosdurg for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No.12822 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C.

This Crl. R.P. is disposed of as above.

**V. RAMKUMAR,JUDGE**

sj